

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: February 17, 2012

ANALYST: Quy Vuong

I. COMMITTEE:

Johnson & Johnson Political Action
Committee
(C00010983)
Donald W. Bohn, Treasurer
One Johnson & Johnson Plaza
New Brunswick, NJ 08933

II. RELEVANT STATUTE:

2 U.S.C. § 434(b)(2) & (4)
11 CFR § 104.3(a) & (b)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Johnson & Johnson Political Action Committee ("the Committee") amended its 2011 February Monthly and 2011 March Monthly Reports to disclose additional receipts of \$58,962.95 and additional disbursements of \$96,065.51, which were not disclosed on the original reports (Attachments 1 & 2).

2011 February Monthly Report

On February 22, 2011, the Committee filed the original 2011 February Monthly Report covering the period January 1, 2011 through January 31, 2011. The report disclosed \$0.00 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals) and \$0.00 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals) of the Detailed Summary Page. The report also disclosed \$0.00 in disbursements on Line 21(b) (Other Federal Operating Expenditures), \$0.00 in disbursements on Line 23 (Contributions to Federal Candidates/Committees Other Political Committees), \$0.00 in disbursements on Line 28(a) (Refunds of Contributions to Individuals/Persons Other Than Political Committees), and \$0.00 in disbursements on Line 29 (Other Disbursements) of the Detailed Summary Page (Images 11990234074-75).

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On March 18, 2011, the Committee filed an Amended 2011 February Monthly Report. The report disclosed \$2,553.00 in receipts on Line 11(a)(i) and \$36,913.40 in receipts on Line 11(a)(ii) of the Detailed Summary Page, a total increase in receipts of \$39,466.40 from the original report (Attachment 3). The report also disclosed \$84,500.00 in disbursements on Line 23 and \$30.00 in disbursements on Line 28(a) of the Detailed Summary Page (Images 11990314508-09).

On July 6, 2011, a Request for Additional Information (RAI) was sent to the Committee referencing the Amended 2011 February Monthly Report, received March 18, 2011. The RAI requested clarification regarding the substantial increase in receipts and disbursements that were not disclosed on the original filing (Image 11330011221).

On August 4, 2011, the Committee filed a Miscellaneous Electronic Submission ("Form 99") in response to the RAI. In part, the Committee stated:

"We are submitting this Form 99 in response to your letter dated July 6, 2011, wherein you requested more information regarding Johnson & Johnson Political Action Committee's (Johnson & Johnson PAC?) amended 2011 February Monthly Report, filed on March 18, 2011. In particular, you requested clarifying information regarding the report's substantial increase in the amount of receipts and disbursements from those disclosed on the original report. Due to a technical glitch in our PAC reporting software, we were unable to populate the February monthly report with the January receipt and contribution information prior to the report's February 20, 2011 deadline. Once the problem was identified and corrected, we submitted an amended report on March 18, 2011, prior to filing our March monthly report. There was never any intention on our part to not disclose Johnson & Johnson PAC's January activity in a timely manner" (Image 11932149235).

On October 3, 2011, the Committee filed an Amended 2011 February Monthly Report. In addition to the activity disclosed in the previous amendment, the report also disclosed \$11.56 in disbursements on Line 21(b) and \$2,000.00 in disbursements on Line 29 of the Detailed Summary Page, a total increase in disbursements of \$86,541.56 from the original report (Images 11952498056-57, Attachment 4).

2011 March Monthly Report

On March 18, 2011, the Committee filed the original 2011 March Monthly Report covering the period February 1, 2011 through February 28, 2011. The report disclosed \$3,931.23 in receipts on Line 11(a)(i), \$15,208.73 in receipts on Line 11(a)(ii), and \$0.00 in receipts on Line 17 (Other Federal Receipts) of the Detailed Summary Page. The report also disclosed \$0.00 in disbursements on Line 21(b) and \$32,500.00 in disbursements on Line 23 of the Detailed Summary Page (Images 11990314774-75).

On October 3, 2011, the Committee filed an Amended 2011 March Monthly Report. The report disclosed \$8,090.94 in receipts on Line 11(a)(i), \$30,528.48 in

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receipts on Line 11(a)(ii), and \$17.09 in receipts on Line 17 of the Detailed Summary Page, a total increase in receipts of \$19,496.55 from the original report (Attachment 3). The report also disclosed \$23.95 in disbursements on Line 21(b) and \$42,000.00 in disbursements on Line 23 of the Detailed Summary Page, a total increase in disbursements of \$9,523.95 from the original report (Images 11952498157-58, Attachment 4).

On October 28, 2011, an RFAI was sent to the Committee referencing the Amended 2011 March Monthly Report, received on October 3, 2011. The RFAI requested clarification regarding the substantial increase in receipts and disbursements on the Amended 2011 February Monthly and Amended 2011 March Monthly Reports that were not disclosed on the original filings (Images 11330015277-79)¹.

On December 2, 2011, the Committee filed a Form 99 in response to the RFAI. The Committee stated:

"This is in response to the RFAI dated 10/28/2011 with regards to the amended February monthly filing and the March monthly filing, specifically the increase in the amount of receipts from the original reports. Due to a technical error on the part of an outside vendor, the receipts were not uploaded into our software with the correct dates. This error has been corrected and the reports were amended to reflect the correct receipts" (Image 11953025621).

On January 26, 2012, the Reports Analysis Division (RAD) Analyst called Calvin Reese, a consultant for the Committee. The RAD Analyst informed Mr. Reese that the increases in activity on the amended reports referenced in the RFAI would be referred for additional action. The RAD Analyst explained that the Committee could disclose additional information regarding the increase in activity on the public record if they wished to do so (Attachment 5).

Subsequently on January 26, 2012, Jennifer Thomas, a consultant for the Committee, called the Analyst regarding the apparent violations being referred for additional action. Ms. Thomas stated that she did not understand why the additional activity on the amended reports was being referred for additional action since the Committee had provided an explanation. The Analyst explained to Ms. Thomas that the Committee's response was not adequate and that the Committee could provide any additional information regarding the increase in activity on the public record. Ms. Thomas wanted to know which office would handle the matter and the Analyst told her that it had not been determined at this time. The Analyst stated that the appropriate office would contact the Committee once the referral moved forward (Attachment 5).

¹ The chart attached to the RFAI contained mathematical errors: it incorrectly disclosed the increase in disbursements on the Amended 2011 February Monthly Report as \$84,547.56, and the total increased activity for both amended reports as \$155,028.46.

On February 2, 2012, Ken Gross, counsel for the Committee called the Analyst regarding the referable issues. He explained that the increase in activity was due to a vendor error and also due to the illness of an employee who normally files the Committee's reports. The Analyst informed Mr. Gross that the Committee could disclose these circumstances on the public record. Mr. Gross then asked for the current status of the issue and which office would be handling it. The Analyst informed Mr. Gross that he could not comment on the internal progress of the matter, but that the appropriate office would contact the Committee once they receive the referral (Attachment 5).

To date, no further communications have been received from this Committee regarding these matters.

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O-Index

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O-Index (2011-2012)													
Cmte. ID: C00010933 Cmte. Name: JOHNSON & JOHNSON POLITICAL ACTION COMMITTEE													
Treasurer Name: BOHN, DONALD W. Address: ONE JOHNSON & JOHNSON PLAZA, NEW BRUNSWICK, NJ 08933													
Cmte. Type: O (QUALIFIED NON-PARTY) (SEE 2 USC SECT 441(A)(3)) Cmte. Designation: B (LOBBYIST/REGISTRANT PAC) Filing Frequency: MONTHLY FILER													
Form	Tr	Rep	Tr	AI	Recd	DT	Pos	Begin	End	DT	DT	DT	DT
MS-M	1	3/18/2011	1	11903015040									
MS-O	1	3/28/2011	1	11330006578									
MS-T	1	8/4/2011	1	11932149235									
MS-T	1	12/2/2011	1	11933025821									
MS-M	1	2/2/2012	1	12970365364									
MS-O	2	2/8/2012	2	12330002068									
RQ2	M2	7/8/2011	2	11330011221									
RQ2	M3	10/28/2011	3	11330015277									
RQ2	MY	10/28/2011	2	11330016275									
F3XN	M2	2/22/2011	5	11930234072									
F3XA	M2	3/18/2011	16	11932498054									
F3XN	M3	3/18/2011	26	11930314771									
F3XA	M3	10/3/2011	38	11932498155									
F3XN	MY	10/3/2011	403	11932106975									
F3XA	MY	12/2/2011	461	11972708448									
F3XN	YE	1/27/2012	1876	12950223862									
F3XN	M2	2/16/2012	15	12970435108									
FIA		1/3/2012	4	12950028908									
Totals													

O-Index (2009-2010)													
Cmte. ID: C00010933 Cmte. Name: JOHNSON & JOHNSON POLITICAL ACTION COMMITTEE													
Treasurer Name: BOHN, DONALD W. Address: ONE JOHNSON & JOHNSON PLAZA, NEW BRUNSWICK, NJ 08933													
Cmte. Type: O (QUALIFIED NON-PARTY) (SEE 2 USC SECT 441(A)(3)) Cmte. Designation: B (LOBBYIST/REGISTRANT PAC) Filing Frequency: MONTHLY FILER													
Form	Tr	Rep	Tr	AI	Recd	DT	Pos	Begin	End	DT	DT	DT	DT
MS-T	18	9/3/2009	18	29030154252									
MS-T	32	9/3/2009	32	29030163668									
MS-T	59	9/3/2009	59	29030153991									
MS-T	82	9/3/2009	82	29030154051									
MS-T	21	9/3/2009	21	29030154114									
MS-T	116	9/3/2009	116	29030154138									
MS-T	2	3/24/2010	2	10030273074									
MS-N	2	4/28/2010	2	10030320063									
MS-T	1	5/4/2010	1	10830683461									
MS-T	1	5/4/2010	1	10830683462									
RQ1	A	10/1/2010	2	10330002089									
RQ2	M3	7/28/2009	3	29030132803									
RQ2	M4	7/28/2009	4	29030132842									
RQ2	M5	7/28/2009	3	29030132806									
RQ2	M7	3/31/2010	3	10030274812									
RQ2	M7	9/8/2009	3	29030154593									
Totals													

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Attachment 1

C-Index (2007-2009)															
Committee Name: BOHH; DONALD W. Committee Name: JOHNSON & JOHNSON POLITICAL ACTION COMMITTEE															
Treasurer Name: BOHH; DONALD W. Address: ONE JOHNSON & JOHNSON PLAZA, NEW BRUNSWICK, NJ 08933															
Cmtc Type: Q (QUALIFIED NON-PARTY) SEE 20 USC SECT 431(A)(4)(D) Cmtc Designation: B (LOBBYIST/REGISTRANT PAC) Filing Frequency: MONTHLY FILER															
Form Tpt	Rpt Tpt	Adj	Recpt Dt	Pgt	Cmpt Ind#	Beg Cvg D:	End Cvg D:	Ltr Mail Dt	Repts	Disb	End Cash	Debits	Loans	Debits & Loans	
12/21/2007 12/21/2007															
RQ1	A	-	12/21/2007	3	27039574432	10/1/2007	10/31/2007	-	-	-	-	-	-	-	
RQ2	M11	N	12/21/2007	3	27039574432	10/1/2007	10/31/2007	-	-	-	-	-	-	-	
RQ2	M2	N	2/20/2007	12	27830146786	1/1/2007	1/31/2007	776,760	\$44,373	\$20,027	\$101,106	-	-	\$0	
FXX	M3	N	3/12/2007	27	27830239836	2/1/2007	2/28/2007	-	\$101,106	\$83,516	\$82,085	-	-	\$0	
FXX	M4	N	4/20/2007	47	27890018318	3/1/2007	3/31/2007	-	\$44,192	\$74,015	\$52,263	-	-	\$0	
FXX	M5	N	5/18/2007	64	27830730654	4/1/2007	4/30/2007	-	\$52,263	\$34,740	\$61,022	-	-	\$0	
FXX	M6	N	6/13/2007	54	27831510750	4/1/2007	4/30/2007	-	\$52,263	\$34,740	\$61,022	-	-	\$0	
FXX	M6	N	6/21/2007	68	27830941742	6/1/2007	6/31/2007	-	\$61,022	\$80,000	\$29,832	-	-	\$0	
FXX	M7	N	7/6/2007	69	27830176121	6/1/2007	6/31/2007	-	\$61,022	\$80,000	\$29,832	-	-	\$0	
FXX	M8	N	8/20/2007	102	27830328059	6/1/2007	6/30/2007	-	\$30,168	\$94,215	\$17,024	-	-	\$0	
FXX	M8	N	8/20/2007	104	27831127325	7/1/2007	7/31/2007	-	\$17,024	\$50,939	\$35,915	\$32,049	-	\$0	
FXX	M8	N	8/20/2007	115	27831208088	8/1/2007	8/31/2007	-	\$32,049	\$47,884	\$51,015	\$28,898	-	\$0	
FXX	M9	N	9/21/2007	115	27890878082	8/1/2007	8/31/2007	-	\$32,049	\$47,884	\$51,015	\$28,898	-	\$0	
FXX	M10	N	10/22/2007	128	27830587418	9/1/2007	9/30/2007	-	\$28,898	\$46,457	\$55,865	\$18,691	-	\$0	
FXX	M11	N	11/7/2007	218	27931516371	10/1/2007	10/31/2007	-	\$19,691	\$45,799	\$34,015	\$31,475	-	\$0	
FXX	M11	N	11/2/2008	218	28830010333	10/1/2007	10/31/2007	-	\$19,691	\$45,799	\$34,015	\$31,475	-	\$0	
FXX	M12	N	12/20/2007	227	27991052017	11/1/2007	11/30/2007	-	\$31,475	\$45,812	\$38,616	\$38,672	-	\$0	
FXX	YE	N	1/6/2008	228	28890038891	12/1/2007	12/31/2007	-	\$38,672	\$69,802	\$34,215	\$74,260	-	\$0	
FXX	M2	N	2/15/2008	18	28890486791	1/1/2008	1/31/2008	-	\$74,260	\$49,480	\$91,165	\$32,555	-	\$0	
FXX	M3	N	3/6/2008	39	28830760747	2/1/2008	2/28/2008	-	\$32,555	\$44,183	\$59,015	\$17,723	-	\$0	
FXX	M4	N	4/4/2008	51	28890760152	3/1/2008	3/31/2008	-	\$17,723	\$43,828	\$31,587	\$29,953	-	\$0	
FXX	M5	N	5/19/2008	61	28831586057	4/1/2008	4/30/2008	-	\$29,953	\$42,974	\$59,740	\$13,187	-	\$0	
FXX	M6	N	6/22/2008	73	28832078437	5/1/2008	5/31/2008	-	\$13,187	\$41,765	\$48,823	\$8,119	-	\$0	
FXX	M7	N	7/8/2008	102	28861531797	6/1/2008	6/30/2008	-	\$8,119	\$68,558	\$61,140	\$13,637	-	\$0	
FXX	M8	N	8/19/2008	107	28894482804	7/1/2008	7/31/2008	-	\$13,637	\$48,740	\$34,751	\$27,527	-	\$0	
FXX	M9	N	9/15/2008	109	28835927894	8/1/2008	8/31/2008	-	\$27,527	\$50,117	\$24,253	\$5	-	\$0	
FXX	M10	N	10/9/2008	125	28833394272	9/1/2008	9/30/2008	-	\$33,980	\$44,792	\$44,650	\$33,532	-	\$0	
FXX	12G	N	10/17/2008	223	28836943435	10/1/2008	10/15/2008	-	\$33,532	\$44,032	\$29,850	\$87,715	-	\$0	
F3XN	30G	N	11/25/2008	238	28893145748	10/16/2008	11/24/2008	-	\$87,715	\$68,082	\$72,300	\$83,477	-	\$0	
F3XN	YE	N	1/6/2009	229	28860028358	11/25/2008	12/31/2008	-	\$83,477	\$49,982	\$11,940	\$85,499	-	\$0	
F1A	A	-	1/2/2009	4	28830010329	-	-	-	-	-	-	-	-	-	
F1A	A	-	11/20/2007	4	27890949835	-	-	-	-	-	-	-	-	-	
Totals															
										\$1,191,928	\$1,725,108				

Johnson & Johnson Political Action Committee (C00010983)

Overview of Additional Receipts

Report Name	Total Additional Receipts	Line Number(s)
2011 February Monthly Report/Amended 2011 February Monthly Report, received 10/3/11	\$39,466.40	11(a)(i), 11(a)(ii)
2011 March Monthly Report/Amended 2011 March Monthly Report, received 10/3/11	\$19,496.55	11(a)(i), 11(a)(ii), 17
Total 2011 Monthly Receipts	\$58,962.95	

Overview of Additional Disbursements

Report Name	Total Additional Disbursements	Line Number(s)
2011 February Monthly Report/Amended 2011 February Monthly Report, received 10/3/11	\$86,541.56	21(b), 23, 28(a), 29
2011 March Monthly Report/Amended 2011 March Monthly Report, received 10/3/11	\$9,523.95	21(b), 23
Total 2011 Monthly Disbursements	\$96,065.51	

Total Increase in Activity on Amended Reports: \$155,028.46

Johnson & Johnson Political Action Committee (C00010983)**Additional Receipts by Line Number****2011 February Monthly Report/Amended 2011 February Monthly Report, received 10/3/11**

Report Line	2011 February Monthly Report (Image: 11990234073)	Amended 2011 February Monthly Report, received 10/3/11 (Image: 11952498656)	Variance Amount
Line 11(a)(i): Itemized Contributions from Individuals	\$0.00	\$2,553.00	\$2,553.00
Line 11(a)(ii): Unitemized Contributions from Individuals	\$0.00	\$36,913.40	\$36,913.40
Total Variance:			\$39,466.40

2011 March Monthly Report/Amended 2011 March Monthly Report, received 10/3/11

Report Line	2011 March Monthly Report (Image: 11990314774)	Amended 2011 March Monthly Report, received 10/3/11 (Image: 11952498157)	Variance Amount
Line 11(a)(i): Itemized Contributions from Individuals	\$3,931.23	\$8,090.94	\$4,159.71
Line 11(a)(ii): Unitemized Contributions from Individuals	\$15,208.73	\$30,528.48	\$15,319.75
Line 17: Other Federal Receipts	\$0.00	\$17.09	\$17.09
Total Variance:			\$19,496.55

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Johnson & Johnson Political Action Committee (C00010983)**Additional Disbursements by Line Number****2011 February Monthly Report/Amended 2011 February Monthly Report, received 10/3/11**

Report Line	2011 February Monthly Report (Image 11990234075)	Amended 2011 February Monthly Report, received 10/3/11 (Image 11952498657)	Variance Amount
Line 21(b): Other Federal Operating Expenditures	\$0.00	\$11.56	\$11.56
Line 23: Contributions to Federal Candidates/Committees Other Political Committees	\$0.00	\$84,500.00	\$84,500.00
Line 28(a): Refunds of Contributions to Individuals/Persons Other Than Political Committees	\$0.00	\$30.00	\$30.00
Line 29: Other Disbursements	\$0.00	\$2,000.00	\$2,000.00
Total Variance			\$86,541.56

2011 March Monthly Report/Amended 2011 March Monthly Report, received 10/3/11

Report Line	2011 March Monthly Report (Image 11990234075)	Amended 2011 March Monthly Report, received 10/3/11 (Image 11952498657)	Variance Amount
Line 21(b): Other Federal Operating Expenditures	\$0.00	\$23.95	\$23.95
Line 23: Contributions to Federal Candidates/Committees Other Political Committees	\$32,500.00	\$42,000.00	\$9,500.00
Total Variance			\$9,523.95